

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, APRIL 8 1986

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING April 8 A.D., 19 86,
IN Regular SESSION. PRESIDENT Samuel J. Talarico
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND
Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING
MEMBERS VIZ:

BRADBURY ✓, BURNS ✓, EISBART ✓,
GIAQUINTA A, HENRY ✓, REDD ✓,
SCHMIDT ✓, STIER ✓, TALARICO ✓,

ABSENT: _____

COUNCILMAN: _____, _____, _____,

THE INVOCATION WAS GIVEN BY _____

THE MINUTES OF THE LAST REGULAR March 25, 1986,

_____, 19____,

SPECIAL _____, 19____,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED
AND PUBLISHED.

COMMUNICATIONS FROM THE MAYOR

March 27, 1986

To the Common Council
Gentlemen and Mrs. Bradbury:

Today, March 27, 1986, I have approved the following Ordinances and Resolutions passed by the Common Council at its regular meeting on March 27, 1986.

(Bill No. A-86-03-02)
APPROPRIATION ORDINANCE NO. A-01-86

AN ORDINANCE of the City of Fort Wayne, Indiana appropriating the sum of Eight Million Dollars (\$8,000,000.00) to be applied on the cost of construction, reconstruction and repair of certain streets, thoroughfares and sidewalks together with installation of street lights and for such other public improvements as determined by the City and expenses incurred in connection therewith

(Bill No. S-86-03-03)
SPECIAL ORDINANCE NO. S-43-86
AMENDED

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT REVENUE BOND, SERIES 1986 (MARK P. SHAMBAUGH PROJECT) AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. S-86-03-04)
SPECIAL ORDINANCE NO. S-44-86

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$8,000,000.00 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF MAKING NEIGHBORHOOD PUBLIC IMPROVEMENTS (MUNICIPAL BONDS OF 1986); REQUIRING THE CITY OF TO COMPLY WITH PROVISIONS OF PENDING FEDERAL TAX LEGISLATION IF NECESSARY; PROVIDING FOR THE DESIGNATION OF A BOND REGISTRAR, TRANSFER AGENT AND PAYING AGENT; AND APPROVING AND AUTHORIZING OTHER ACTIONS IN CONNECTION THEREWITH

(Bill No. R-86-02-26)
RESOLUTION NO. R-23-86

A RESOLUTION approving Fort Wayne Redevelopment Commission's Resolution 86-3, Amendment No. 4 to the Civic Center Renewal Project

(Bill No. R-86-03-14)
DECLARATORY RESOLUTION NO. R-24-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12/1 for property commonly known as 4301 Engle Road, Fort Wayne, Indiana. (Crown Coatings Corporation, Petitioner)

(Bill No. R-86-03-16)
DECLARATORY RESOLUTION NO. R-25-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as the corner of Hayden Street and Clay Street, Fort Wayne, Indiana. (William E. Brown, Petitioner)

(Bill No. G-86-03-05)
GENERAL ORDINANCE NO. G-12-86

AN ORDINANCE amending Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, entitled "Traffic Code"

(Bill No. S-86-03-06)
SPECIAL ORDINANCE NO. S-45-86

AN ORDINANCE approving City Utilities Purchase Order #A-52801, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and the IBM Corporation, for the Water Pollution Control Plant

(Bill No. S-86-03-07)
SPECIAL ORDINANCE NO. S-46-86

AN ORDINANCE approving the Contract for Res. #898-85, Doenges Drive Sanitary Sewer, by the City of Fort Wayne, Indiana, by and through its Board of Public Works and Safety and All Star Construction & Excavating, Inc.

(Bill No. S-86-03-08)
SPECIAL ORDINANCE NO. S-47-86

AN ORDINANCE approving the Contract for Res. #416-85 - Paulding Road - Old Decatur Road Storm Sewer Point Repairs, by the City of Fort Wayne, Indiana, by and through its Board of Public Works and Safety and Land Excavating, Inc.

(Bill No. S-86-03-09)
SPECIAL ORDINANCE NO. S-48-86

AN ORDINANCE approving City Utilities Purchase Order #A-52896, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and the Data Processing Department with Compusystems, Inc., for various departments through the City of Fort Wayne

(Bill No. X-84-12-21)
(AS AMENDED)
ANNEXATION ORDINANCE NO. X-01-86

AN ORDINANCE annexing certain territory commonly known as the Edgewood Industrial Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 3

(Bill No. R-84-12-22)
RESOLUTION NO. 21-86

RESOLUTION of the Common Council of the City of Fort Wayne, Indiana setting forth the policy of the City of Fort Wayne, Indiana in regards to the annexation of the Edgewood Industrial Annexation Area

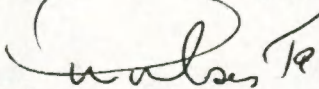
(Bill No. X-85-11-25)
(AS AMENDED)
ANNEXATION ORDINANCE NO. X-02-86

ANNEXATION ORDINANCE annexing certain territory commonly known as the Trier Ridge Park Annexation Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 6

(Bill No. R-85-11-26)
RESOLUTION NO. R-22-86

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana setting forth the policy of the City of Fort Wayne, Indiana in regards to the annexation of the Trier Ridge Park Annexation Area

Respectfully yours,



Win Moses, Jr.
Mayor

COMMUNICATIONS FROM THE MAYOR

March 12, 1986

To the Common Council
Gentlemen and Mrs. Bradbury:

Today, March 12, 1986, I have approved the following Ordinances and Resolutions passed by the Common Council at its regular meeting on March 11, 1986.

(Bill No. S-86-02-22)
SPECIAL ORDINANCE NO. S-32-86

AN ORDINANCE approving Civil City Purchase Order #A-46413, with the Lincolnway International Truck Company, for the Board of Park Commissioners of the City of Fort Wayne, Indiana

(Bill No. S-86-02-23)
SPECIAL ORDINANCE NO. S-33-86

AN ORDINANCE approving Civil City Purchase Order #A-46464, with the Ennis Paint Mfg., Inc., for the Traffic Engineering Department of the City of Fort Wayne, Indiana

(Bill No. S-86-02-24)
SPECIAL ORDINANCE NO. S-34-86

AN ORDINANCE approving Civil City Purchase Order #A-46501, with the Halterman's Company, for the Fire Department of the City of Fort Wayne, Indiana

(Bill No. G-86-02-27)
(AS AMENDED)
GENERAL ORDINANCE NO. G-11-86

AN ORDINANCE of the Common Council of the City of Fort Wayne, Indiana, authorizing the implementation of the City of Fort Wayne's "Community Investment Program"

(Bill No. S-86-02-25)
SPECIAL ORDINANCE NO. S-35-86

AN ORDINANCE of the Common Council of the City of Fort Wayne, Indiana, approving the transfer of cable franchise as previously granted by the City of Fort Wayne, Indiana

(Bill No. S-86-02-32)
SPECIAL ORDINANCE NO. S-36-86

AN ORDINANCE approving the Contract for Spy Run NSA-85, Res. 6035-85, between the City of Fort Wayne, Indiana, and Hipskind Concrete Corporation, in connection with the Board of Public Works and Safety

(Bill No. S-86-02-33)
SPECIAL ORDINANCE NO. S-37-86

AN ORDINANCE approving City Utilities Purchase Order #A-52695, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing, with the Jones Chemical Company, for the Water Pollution Control Plant

(Bill No. S-86-02-24)
SPECIAL ORDINANCE NO. S-38-86

AN ORDINANCE approving City Utilities Purchase Order #A-52705, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing, with the Underground Pipe and Valve Company, for the Water Maintenance and Service Department

(Bill No. S-86-02-35)
SPECIAL ORDINANCE NO. S-39-86

AN ORDINANCE approving City Utilities Bid Reference #771, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing, with Rockwell International and Badger Meter, respectively, for the Water Maintenance and Service Department

(Bill No. S-86-02-36)
SPECIAL ORDINANCE NO. S-40-86

AN ORDINANCE approving Change Order No. 1 (FINAL), for Contract 85-XP-2, Dalman-Smith Road Feeder Main, with D.N. Higgins, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-86-02-37)
SPECIAL ORDINANCE NO. S-41-86

AN ORDINANCE approving City Utilities Purchase Order #A-52780, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing, with KLF, Inc., for the Telecommunications Department

(Bill No. S-86-02-38)
(AS AMENDED)
SPECIAL ORDINANCE NO. S-42-86

AN ORDINANCE approving City Utilities Purchase Order #A-52779, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing, with ARC Associates, for the Telecommunications Department

(Bill No. R-86-03-01)
RESOLUTION NO. R-20-86

A RESOLUTION HONORING THE 1986 INDIANA STATE BASKETBALL CHAMPIONS
NORTHROP HIGH SCHOOL

Respectfully yours,

A handwritten signature in dark ink, appearing to read "Win Moses, Jr.", with a stylized flourish at the end.

Win Moses, Jr.
Mayor



The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

2 April 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-86-02-31

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
2nd day of April 1986.

Melvin O. Smith
Secretary

FACT SHEET

Z-86-02-31

BILL NUMBER

**Division of Community
Development & Planning**

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Ordinance Amendment

DETAILS**Specific Location and/or Address**

438, 440 & 442 Bass Street

Reason for Project

To allow for expansion of business.

Discussion (Including relationship to other Council actions)24 February 1986 - Public Hearing

Jim Bushey, 1701 Fairfield Ave, the petitioner stated that they are requesting the rezoning in order to build a warehouse on the property. He stated that they agree with all of the staff recommendations with the exception of the curb cut on Bass Street. He stated that the curb cut access is essential for them to expand. He stated that the alley behind the building is too narrow and too dangerous to bring a truck down.

Duane Embury asked what additional traffic flow the new addition would cause.

Mr. Bushey stated that they anticipate no additional traffic, the addition will be strictly for storage.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**Jim Bushey & David Steele
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

**Staff
Recommendation**

For



Against

Reason Against

**Board or
Commission
Recommendation**

By



For



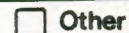
Against



No Action Taken

For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS
(For Council
use only)**

Pass



Other

Pass (as
amended)

Hold



Council Sub.



Do not pass

DETAILS

3 March 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

NOTE: The condition limiting access on Bass Street was eliminated. The only condition was one of landscaping and a plan has been submitted and approved by CD&P.

Of the 9 members present 8 voted in favor of the motion 1 abstained.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date January 23, 1986

Projected Completion or Occupancy

Date April 2, 1986

Fact Sheet Prepared by

Patricia Biancaniello

Date April 2, 1986

Reviewed by

Ray J. Carter

Date

4/3/86

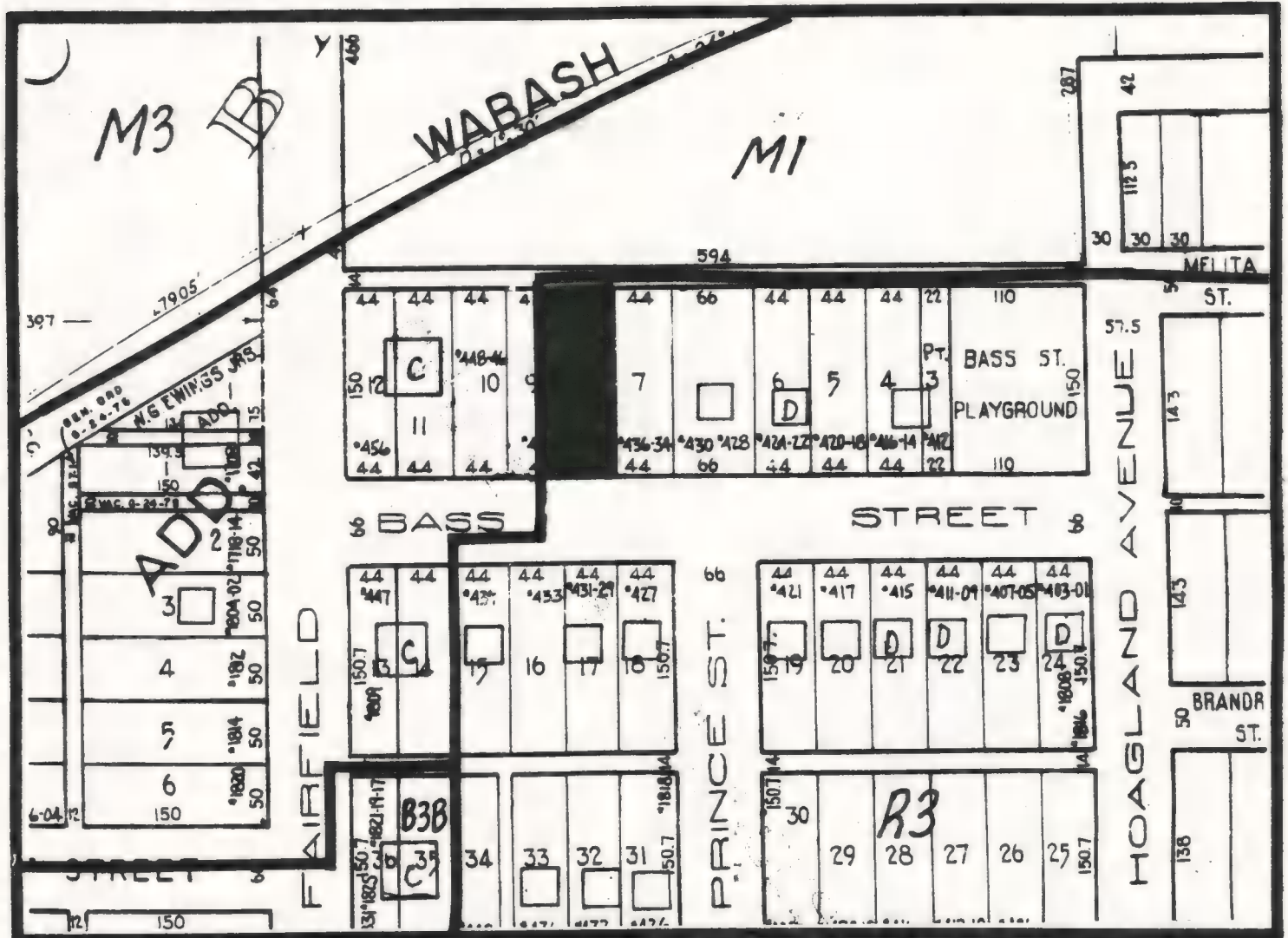
Reference or Case Number

REZONING PETITION

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-3 TO A M-1 DISTRICT.

MAP NO. L-2

COUNCILMANIC DISTRICT NO. 1



ZONING:

M1 LIGHT INDUSTRY
M3 HEAVY INDUSTRY
R3 RESIDENTIAL DISTRICT
B3B GENERAL BUSINESS 'B'

LAND USE:

- ☐ SINGLE FAMILY
- ☐ DUPLEX
- ☐ COMMERCIAL

Change of Zone #181

SCALE: 1"=150'

17

DATE: 1-29-86



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 25, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-02-31; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 24, 1986;

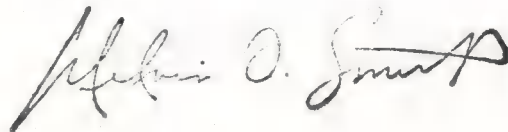
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 3, 1986.

Certified and signed this
2nd day of April 1986.



Melvin O. Smith
Secretary

Change of Zone #181

11 February 1986

PROPOSAL: Bushey's Incorporated petitions for a change of zone from R-3 to M-1.

GENERAL INFORMATION:

Location: 438-440-442 Bass Street

Legal Description: Lot 8 and the East half of Lot 9 in Chute & Prince Addition

Existing Zoning: R-3

Size of Property: .23 Acres ±

Surrounding Land Use & Zoning: North - M-1
South - R-3 - Residential
East - R-3 - Residential

Reason For Request: Future Expansion of Business

Applicable Regulations: R-3 is primarily a residential district.

SPECIAL INFORMATION:

Public Utilities: Available in this area.

Physical Characteristics: The Bushey development is one of the better maintained parcels in this area.

Comprehensive Plan: The General Land Use Policies state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area. In the Central Area, where this request is located, the three main goals are: 1) to maintain existing development; 2) to halt deterioration; and, 3) to encourage reinvestment.

Neighborhood Planning: There is no Neighborhood Plan for this area.

Urban Design: No Comment

HANDS: No Comment

Change of Zone #181
11 February 1986

Page two

Housing Authority: No Comment

SHED: No Comment

PLANNING STAFF DISCUSSION:

Bushey's Incorporated has been in existence at this location for a number of years. They have undergone growth which has forced them to enlarge. They feel that the logical growth pattern is along the north side of Bass Street. The goals of the Comprehensive Plan in this area are maintaining existing development to halt deterioration, and to encourage re-investment.

Although we do not normally encourage commercial encroachment into residential areas, we feel that this petition bears merit in terms of the Comprehensive Plan. Bushey is capable of maintaining a valued asset in this area, with an appropriate use of buffering technics and transition policies.

RECOMMENDATION: Conditional Approval

Contingent upon establishing and maintaining a 10 foot wide landscape buffer area where their property adjoins the residential properties to the east and south, and providing a restrictive covenant, in a form acceptable to the City of Fort Wayne, that states no additional access will be requested or granted from Bass Street. This landscape plan must be submitted and approved by the landscape architect prior to forwarding the petition to City Council.



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

2 April 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-86-03-22

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
2nd day of April 1986.

A handwritten signature in dark ink, appearing to read "Melvin O. Smith", is written over a horizontal line.

Melvin O. Smith
Secretary

FACT SHEET

Z-86-03-22

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Zoning Ordinance Amendment

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

6112; 6126 & 6040 Lima Road

Reason for Project

Utilitize existing structures for apartments & perhaps a small office.

Discussion (Including relationship to other Council actions)March 17, 1986 - Public Hearing

Ed Tomm, speaking for the petitioner for the property at 6112 Lima Road stated that the petitioner at 6126 Lima Road did not wish to pursue the rezoning. He stated that the petitioner at 6126 Lima Road was asking the Commission to perfect the request from a B-1-A to an R-3 rezoning. He stated that they do not have any desire to build an office complex. He stated they are not building, but wish to utilize the structures that are already there. He stated it is not much of a residence but more a small office or possibly a duplex tr-plex area.

Ben Eisbart questioned staff if they had received a letter of withdrawal from the property owner at 6126 Lima Road.

Staff stated they had not.

Edith Kenna questioned what the property was present being used for.

Mr. Tomm stated that the petitioner for 6140 Lima Road would have to speak for himself, but the property at 6112 Lima

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**

Jack Brand, Ron Antoniuk &
Elvin Jones
City Department

Other

Opponents**Groups or Individuals****Basis of Opposition****Staff
Recommendation**☐ For ☒ Against

Reason Against

**Board or
Commission
Recommendation****By**☐ For ☒ Against
☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass ☐ Other☐ Pass (as amended) ☐ Hold☐ Council Sub. ☐ Do not pass

DETAILS

Road is being used as a residence.

Jack Brand the petitioner for 6140 Lima Road stated that he wanted to use the present structure for commercial purposes. He stated that he had purchased it as a commercial building and was unaware that he could not use it for commercial . He stated that he had applied for and received a variance but they had placed conditions on the property he did not want to meet.

Edith Kenna pointed out that even if they receive an R-3 they would still have to have BZA approval in order to put in an office use.

Mr. Brand stated that it would still be better to use the property even for multi-family.

Edith Kenna stated that she felt the petitioners should talk with a member of staff prior to the business meeting to be sure they can do what they would want to in an R-3 zoning.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

March 24, 1986 - Business Meeting

Motion was made to return the ordinance to Common Council with a DO NOT PASS recommendation, motion carried.

Of the 8 members present 7 voted in favor of denial one abstained.

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☐ No

☐ Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date February 13, 1986

Projected Completion or Occupancy

Date April 2, 1986

Fact Sheet Prepared by

Date April 2, 1986

Patricia Biancaniello

Reviewed by

Date

Reference or Case Number

4/2/86

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R1 DISTRICT TO A BIA DISTRICT.

COUNCILMANIC DISTRICT NO. 3



RI RESIDENTIAL DISTRICT
MI LIGHT INDUSTRY
RB RESIDENCE 'B'

☐ SINGLE FAMILY
☒ COMMERCIAL
☐ PUBLIC - CHURCH

Rec # Z 86-03-22

SCALE: 1" = 200'

DATE: 2-27-86



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 25, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-03-22; ; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 17, 1986;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

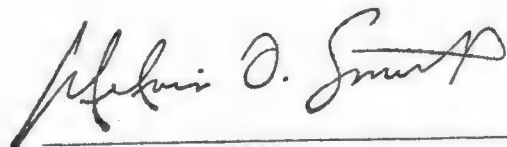
(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 24, 1986.

Certified and signed this
2nd day of April 1986,



Melvin O. Smith
Secretary

Change of Zone #184

17 March 1986

PROPOSAL: Jack & Nancy Brand, Ron Antoniuk, and Elvin E. Jones
petition for a change of zone from R-1 to B-1-A.

GENERAL INFORMATION:

Location:	6112, 6126, 6140 Lima Rd
Legal Description:	Metes & Bounds In File
Existing Zoning:	R-1
Size of Property:	3 Acres ±
Surrounding Land Use & Zoning:	North - R-1 - Residential South - R-1 - Residential East - R-1 - Residential West - County - Residential & Commercial
Reason For Request:	Not Given
Applicable Regulations:	R-1 is primarily a single family residential district.

SPECIAL INFORMATION:

Public Utilities:	Available
Physical Characteristics:	The property in this area is predominately residential.
Comprehensive Plan:	The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing land uses and should not establish an undesirable precedent in the area to be developed. The Compre- hensive Plan goal for the North Sector, where this request is located, is for orderly growth.
Neighborhood Planning:	No Comment
Urban Design:	No Comment
HANDS:	No Comment

Change of Zone #184
17 March 1986

Page two

Housing Authority: No Comment

SHED: No Comment

PLANNING STAFF DISCUSSION:

The Board of Zoning Appeals has heard variance request for a portion of this property (6040), three times since 1983. The most recent variance was granted conditionally, with one of the conditions being that a rezoning application be submitted within six months of approval.

The existing structure at 6040 was apparently constructed as a commercial building for office use. The structure at 6126 is also used as an insurance office.

The Comprehensive Plan indicates that this area may be acceptable for commercial usage, but, we have major concerns for the impact that rezoning might have on the surrounding residential properties. The B-1-A designation permits over 50 uses that would have varying impact. This area is predominately residential and approval of this petition would be a "spot zoning". However with the hardship that exists on portions of this parcel, and the commercial development in the county, R-1 is probably not the highest and best use.

While we do not feel that the B-1-A classification is appropriate at this time, we do feel that an alternative is available. The uses in this area appear to be office oriented, and the Zoning Ordinance provides for office uses without rezoning to B-1-A. A Professional Office District designation is available, which would not permit retail sales, but would allow office development and use. The Plan Commission may wish to consider these alternatives.

RECOMMENDATION:

Perfect to P.O.D. and Conditionally
Approve

Subject to:

- 1) Petitioners submit a P.O.D. development plan to be approved by the Plan Commission.
- 2) A landscape buffer be provided along the north, south, and east property lines of the total parcel.

Change of Zone #184
17 March 1986

Page three

- 3) A covenant be executed by the property owners, in a for acceptable to the City, that provides for only one access to serve all three properties, all other existing access points shall be closed.
- 4) No free standing ID sign will be permitted. The POD development may have one (1) sign identifying the development, with flush mounted signs used on the building for individual identification. ID sign shall be limited to 32 sq. ft. in area, and 4 foot in height.

If such alternative is not acceptable to the Plan Commission, our recommendation would be

DENIAL

- 1) Approval would constitute "spot zoning".
- 2) Approval would adversely impact the immediate area due to concerns of safety and general welfare.
- 3) Approval would set a precedent making it difficult to deny similar petitions, and would encourage commercial encroachment into residential areas.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers:

46/86/E

47/86/E

48/86/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully Submitted,



Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 46/86/E
47/86/E
48/86/E)

I hereby certify that I did this 31st day of
March, 1986 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 46/86/E
47/86/E of the Board of Public
48/86/E
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.

J. D. Connelley
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 46/86 /E

(Adopted March 24, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 17/86/E: IMPAIRED

MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated March 21, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 25, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1406 Lillie Street -- east side -- from 245' south of Alliger Street to 20' south thereof

REGULATORY RESOLUTION NO. 47/86 /E

(Adopted March 25, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 18/86/E: NO PARKING

(TEMPORARY) (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 21, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 25, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (TEMPORARY) (EMERGENCY)

Leroy Avenue -- both sides -- from Dodge Avenue to State Boulevard

REGULATORY RESOLUTION NO. 48/86 /E

(Adopted March 25, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 25, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 25, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Franklin Avenue -- stop -- for Burgess Street

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 49/86/E
50/86/E
51/86/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully Submitted,



Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 49/86/E
50/86/E)
51/86/E

I hereby certify that I did this 31st day of
March, 1986 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 49/86/E
50/86/E of the Board of Public
51/86/E
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.

J. D. Connelley
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 49/86 /E

(Adopted March 31, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 22/86/E: IMPAIRED

MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

_____ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 31, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 31, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

Woodview Manor Apartments -- southeast corner of Building Number 14
3506 Timberhill Drive (1 stall)

REGULATORY RESOLUTION NO. 50/86/E

(Adopted March 31, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 23/86/E: IMPAIRED

MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 31, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 31, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDNETIAL) (EMERGENCY)

4331 Queen Street -- east side -- from 65' north of Werling Drive
to 20' north thereof

REGULATORY RESOLUTION NO. 51/86 /E

(Adopted March 31, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING FIRE LANE (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated March 27, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 31, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING FIRE LANE (EMERGENCY)

1. Three Rivers Apartments, 104 Three Rivers North
2. Holiday Inn, 330 East Washington Blvd.
3. Southgate Shopping Center, 218 East Petit Avenue
4. Gateway Plaza (Uncommons), 1425 Goshen Road
5. Target North, 3801 Coldwater Road
6. Glenbrook Center, 4201 Coldwater Road
- 6.5. K Mart North, 200 East Coliseum Blvd.
7. K Mart East, 820 Coliseum Blvd. North
8. Northcrest Shopping Center, 702 East Coliseum Blvd.
9. Southtown Mall, 7800 South Anthony
10. Target South, 7601 South Anthony Blvd.
11. Heck's Department Store, 6901 South Hanna
12. Heck's Department Store, 3810 West Jefferson Blvd.
13. K Mart South, 7530 K. Mart Plaza (U.S.#27 South)
14. Lutheran Hospital, 3024 Fairfield Avenue
15. Parkview Memorial Hospital, 2200 Randallia Drive
16. St. Joseph's Hospital, 700 Broadway
17. Veteran's Administration Hospital, 1600 Randallia Drive
18. Lutheran Homes, 6701 South Anthony Blvd.
19. Medco Center, 3811 Parnell Avenue
20. St. Anne's Home, 1900 Randallia Drive

(continued on Page 2)

REGULATORY RESOLUTION NO. _____/E

(Adopted _____, 19____)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to _____

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated _____, 19____, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

_____, 19____, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PAGE 2

NO PARKING FIRE LANE

(EMERGENCY) '

21. Willow Ridge Living Center, 2001 Hobson Road
22. Georgetown Square, 6338 East State Blvd.
23. Millbrook Apartment Complex, 2700-2800 Millbrook
24. Memorial Coliseum, 4000 Parnell Avenue
25. Coliseum Motor Inn, 505 East Coliseum Blvd.
26. Tall Oaks, 7300 Old Decatur Road
27. Marriott Inn, 305 East Washington Center Road
28. Towne House Retirement Center, 2209 St. Joe Center Road
29. Fine Arts Building, 303 East Main Street
30. Mental Health Park Center, 909 East State Blvd.
31. Don Hall Guest House, 1313 Washington Center Road
32. Market Place of Canterbury, 5675 St. Joe Road
33. Washington Square, 5929 North Clinton Street
34. Statewood Shopping Center, 3901 East State Blvd.
35. Illusions Night Club, 4530 Bluffton Road
36. I.U.P.U. Fort Wayne, 2101 Coliseum Blvd.

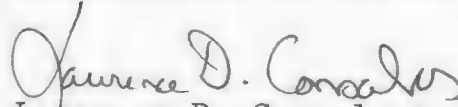
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 52/86/E
53/86/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Lawrence D. Consalvos". The signature is fluid and cursive, with the first name "Lawrence" and last name "Consalvos" clearly legible.

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 52/86/E
53/86/E)

I hereby certify that I did this 7th day of
April, 1986 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 52/86/E
53/86/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.

J. D. Connelley
CHAIRMAN, Board of Public Safety

(Adopted April 2, 1986)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to DELETE: NO PARKING (EMERGENCY)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to DELETE: NO PARKING (EMERGENCY)

regard to DELETE: NO PARKING (EMERGENCY)

: AND,

dated April 1, 19 86,
submitted to this Board his advice with regard to the regulation
herein adopted, which written memorandum is on file in the
office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

April 2, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: NO PARKING (EMERGENCY)

Dewald Street -- north side -- from 75' east of Calhoun Street to
170' east thereof

REGULATORY RESOLUTION NO. 53/86/E

(Adopted April 7, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 27/86/E: NO PARKING
(EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 4, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

April 7, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Irene Street — north side — from Goshen Avenue to 220' east

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its

Regular Session, held on Tuesday
the 8th day of April, 1986,

that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____,

SANDRA E. KENNEDY, CITY CLERK